



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23-24

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1995-1676.004)

Commissioner Lohbauer moves and Commissioner Pikolycky seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1995-1676.004

Applicant:	New Jersey Department of Transportation
Municipality:	Galloway Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	May 19, 2023
Proposed Development:	Demolition of four buildings, 50 years old or older, and the construction of two material storage buildings

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director’s recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; and

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1995-1676.004 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lettman	X				Pikolycky	X			
Avery	X				Lloyd			X		Wallner	X			
Christy			X		Lohbauer	X				Matos			X	
Holroyd	X				Mauriello	X								
Irick	X				Meade	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 9, 2023

Susan R. Grogan
Executive Director

Alan W. Avery, Jr.
Vice Chair



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

May 19, 2023

Brendan Brock (via email)
New Jersey Department of Transportation
P.O. Box 600
Trenton NJ 08625

Re: Application # 1995-1676.004
Block 738, Lot 1
Galloway Township

Dear Mr. Brock:

The Commission staff has completed its review of this application for the demolition of four buildings, 50 years old or older, and the construction of two material storage buildings. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2023 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Galloway Township Planning Board (via email)
Galloway Township Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
Bryan VanderGheynst, PE (via email)



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 Governor
 SHEILA Y. OLIVER
 Lt. Governor

General Information: Info@pinelands.nj.gov
 Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2023

Brendan Brock (via email)
 New Jersey Department of Transportation
 P.O. Box 600
 Trenton NJ 08625

Application No.: 1995-1676.004
 Block 738, Lot 1
 Galloway Township

This application proposes demolition of four buildings, 50 years old or older, and the construction of two material storage buildings located on the above referenced 4.39 acre parcel in Galloway Township. There is an existing New Jersey Department of Transportation Maintenance Facility located on the parcel.

This application proposes the demolition of two material storage buildings, a garage and a salt storage shed. The four buildings proposed for demolition total approximately 4,200 square feet. This application also proposes the construction of a 3,200 square foot salt storage building and a 1,740 square foot material storage building.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the the Pinelands Comprehensive Management Plan (CMP). The CMP definition of development includes the demolition of a structure. The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.28(a))

The proposed development is located in a Pinelands Regional Growth Area. The CMP permits the proposed development in a Pinelands Regional Growth Area.

Wetlands Standards (N.J.A.C. 7:50-6.14)

There are wetlands located within 300 feet of the above referenced parcel. The wetlands are located on the opposite side of US Route 30 from the parcel. The proposed development will be located no closer to wetlands than existing development.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located over existing paved and gravel surfaces. The proposed disturbance is limited to that which is necessary to accommodate the proposed development.

Water Quality Standard (N.J.A.C. 7:50-6.83)

The parcel is serviced by public sanitary sewer.

Stormwater Management Standards (N.J.A.C. 7:50-6.84(a)6)

The proposed demolition and development will result in a decrease of impervious surfaces by 480 square feet. There will be no increase in the volume and rate of stormwater runoff from the project after the development than occurred prior to the proposed development. The proposed development is consistent with CMP stormwater management standards.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

A cultural resource survey was conducted on the parcel. The survey determined that the project area contains no significant cultural resources.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on August 16, 2022. Newspaper public notice was completed on August 19, 2022. The application was designated as complete on the Commission's website on April 20, 2023. The Commission's public comment period closed on May 12, 2023. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of five sheets, prepared by NV5, all sheets dated August 4, 2022.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition and development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



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LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on June 5, 2023 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23- 25

TITLE: To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2024 at the Same Level of Expenditures as Fiscal Year 2023 until the Adoption of the Fiscal Year 2024 Budgets

Commissioner Irick moves and Commissioner Lohbauer seconds the motion that:

WHEREAS, pursuant to the Pinelands Protection Act, the Pinelands Commission is charged with continuing implementation and monitoring of the Pinelands Comprehensive Management Plan; and

WHEREAS, based on the Governor’s proposed budget, it is anticipated that the Commission will receive an appropriation of at least \$3,549,000 to support its operations during Fiscal Year 2024; and

WHEREAS, confirmation of the State appropriation is expected in July, after which the Commission will be able to finalize and adopt its FY24 budgets; and

WHEREAS, pursuant to N.J.S.A 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the actions shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director is authorized to continue to expend funds during Fiscal Year 2024 at the same level of expenditures as Fiscal Year 2023 until the Commission’s adoption of the Fiscal Year 2024 Budgets.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lettman	X				Pikolycky	X			
Avery	X				Lloyd			X		Wallner	X			
Christy			X		Lohbauer	X				Matos			X	
Holroyd	X				Mauriello	X								
Irick	X				Meade	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 9, 2023

Susan R. Grogan
Executive Director

Alan W. Avery, Jr.
Vice Chair